

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Northern District of CaliforniaUnited States of America
v.
KEEGAN LEECODI COTTON, JR, JAEDON
EVANS, AND RAFAEL DAVIS,

Case No.

4-14-70065

Defendant(s)

FILED
JAN 21 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

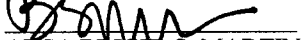
On or about the date(s) of June 20, 2013 in the county of Alameda in the
Northern District of California, the defendant(s) violated:*Code Section*
18 U.S.C. §§ 1951(a) and 2*Offense Description*
Conspiracy to Commit Robbery, Attempted Robbery Affecting Interstate
Commerce, and Aiding and AbettingMaximum Penalties: 20 years prison, \$250,000 fine, 3 years supervised
release, \$100 mandatory special assessment, Forfeiture, and
Restitution

This criminal complaint is based on these facts:

See attached AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

☒ Continued on the attached sheet.

APPROVED AS TO FORM:


AUSA BRIGID S. MARTIN
*Complainant's signature*Paul Healy, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date:

1/21/14
*Judge's signature*City and state: Oakland, CaliforniaHon. Donna M. Ryu
Printed name and title

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

I, Paul F. Healy, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, depose and state as follows:

I. INTRODUCTION AND QUALIFICATIONS OF AFFIANT

1. I am employed as a Special Agent with the Federal Bureau of Investigation ("FBI"), currently assigned to the San Francisco Division. I have been an FBI Special Agent for 16 years. I have worked Violent Crimes, Gangs, and Drug Investigations for my entire career. I have specialized training from the FBI, Drug Enforcement Administration (DEA), state and local agencies, and have participated as the primary case agent in several hundred armed robbery investigations.
2. I am currently assigned to a Violent Crimes and Major Offender Squad based in Oakland, California. My responsibilities include the investigation of violent crimes, including armed robberies and investigations involving the illegal possession of firearms.
3. As a federal agent, I am authorized to investigate violations of laws of the United States, and I am a law enforcement officer with authority to execute warrants issued under the authority of the United States.

II. PURPOSE OF THE AFFIDAVIT

4. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging KEEGAN LEECODI COTTON, JR. (COTTON), JAEDON EVANS (EVANS), and RAFAEL DAVIS (DAVIS) with Conspiracy to Commit Robbery and Attempted Robbery Affecting Interstate Commerce, and Aiding and Abetting, in violation of 18 U.S.C. §§ 1951(a) and 2.
5. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that, on or about June 20, 2013, COTTON, EVANS, and DAVIS committed Attempted Robbery Affecting Interstate Commerce when they tried to rob a victim from Colorado, in Oakland, California, in violation of 18 U.S.C. §§ 1951(a) and 2. The statements contained in this affidavit are based on information provided to me by law enforcement officers as well as my training, experience, and knowledge of this investigation.

III. FACTS SUPPORTING PROBABLE CAUSE

6. On June 20, 2013, the Oakland Police Department (OPD) had placed surveillance officers in the vicinity of 37th Street and Martin Luther King Way on a matter unrelated to COTTON, EVANS, and DAVIS. At approximately 10:15 a.m., an OPD officer saw a red 2001 Acura CL (2dr CA tag 6YQL983) park along the south side of the 600 block of 37th Street. EVANS and COTTON got out of the Acura and walked West, looking around and talking on cellular telephones. EVANS had his hooded sweatshirt up over his head. EVANS and COTTON continued to loiter in the area for 10-20 minutes until a stretch limousine turned onto 37th Street. COTTON raised his arm as if he was flagging down the driver of the limousine. The driver pulled over, got out, and walked to the rear of the car to open a rear passenger door for COTTON. COTTON stepped up to the open door and leaned inside. At the same time, EVANS came running up to the driver with what appeared to be a firearm in his right hand pointed at the driver. The limousine driver and passenger ran away. And COTTON and EVANS fled from the scene on foot.

7. OPD saw that at about the same time that COTTON and EVANS attempted to rob the passengers of the limousine, the red Acura pulled away from the curb and began to move east on 37th Street and then turned south on Martin Luther King, Jr. Way.

8. OPD police cars responded to the scene, looking to apprehend COTTON, EVANS, and the red Acura. A short time later, OPD located and stopped the red Acura. The driver of the Acura was identified as DAVIS. DAVIS exited the vehicle with a cellular phone pressed up to his head. At the time OPD pulled over the Acura driven by DAVIS, EVANS (who had been seen earlier fleeing from the scene of the robbery on foot), was a passenger in the Acura. Because OPD had seen EVANS attempt to commit what appeared to be armed robbery with a firearm, OPD searched the car for weapons. Inside the Acura, officers recovered a Raven MP-25 .25 caliber semi-automatic pistol, and a black Airsoft BB gun.

9. Other OPD officers located COTTON on foot in the area and detained COTTON. OPD officers conducted a field show up with the attempted robbery victim, the limousine passenger. The victim positively identified COTTON as one of the two men who tried to rob her.

10. Law enforcement interviewed the victim of the attempted robbery who had been the passenger in the limousine. The victim reported that she had been lured out to Oakland from Colorado by a man who purported to want to buy a diamond from her. The victim had placed an ad to sell the diamond on Craigslist. The victim reported that the purported buyer bought her a plane ticket to come to Oakland and sent the limousine to the airport to pick her up. The victim stated that at the time of the attempted robbery, she believed she was on her way to meet the purported buyer to complete the sale of the diamond.

11. OPD arrested and Mirandized COTTON, EVANS, and DAVIS. COTTON admitted to participating in the attempted robbery with EVANS and DAVIS.

12. OPD also interviewed DAVIS. DAVIS told OPD that when OPD stopped him in his Acura, he had no idea what was going on, and had just picked up his friend EVANS right before the police pulled him over. DAVIS claimed that EVANS promised to buy him a tank of gas if DAVIS would pick him up in Oakland and drive him back to Vallejo. Based on OPD's surveillance of the red Acura before and at the time of the robbery, DAVIS was not being truthful.

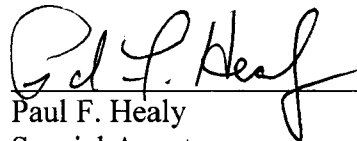
13. Pursuant to a federal search warrant, law enforcement searched the phone DAVIS had in his hand at the time of his arrest. The phone contained photographs of a pistol, assault rifle, bundled and banded U.S. currency (multiple photographs), U.S. currency displayed on a bed, and a diamond ring.

14. Based on my training and experience, cellular phones often contain photographs and videos taken by individuals involved in criminal activity, including "trophy" photographs of contraband to include robbery proceeds cash, and firearms.


VI. CONCLUSION

15. Based on the aforementioned factual information, I believe that probable cause exists that COTTON, EVANS, and DAVIS conspired to commit and attempted to commit robbery affecting interstate commerce, and aided and abetting, in violation of 18 U.S.C. §§ 1951(a) and 2. As such, I respectfully request a warrant for their arrest.

Under penalty of perjury, I swear that the foregoing is true and correct to the best of my knowledge, information and belief.


Paul F. Healy
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me this 21st day of January 2014.


HON. DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE